



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,105	12/17/2001	Chae-Whan Lim	678-769 (P9752)	2375

7590 02/26/2004

Paul J. Farrell
DILWORTH & BARRESE, LLP
333 Earle Ovington Blvd.
Uniondale, NY 11553

EXAMINER

ENG, GEORGE

ART UNIT PAPER NUMBER

2643

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,105

Applicant(s)

LIM ET AL.

Examiner

George Eng

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office action is in response to the amendment filed 12/2/2003 (paper no. 4).

Claim Rejections - 35 USC § 112

2. Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 3-4, it is unclear whether the term "the posture and position control command" is referring to "a first posture and position control command" or "a second posture and position control command".

Claim 5 is also rejected because of depending on claim 4 containing the same deficiency.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

Art Unit: 2643

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1- are rejected under 35 U.S.C. 103(a) as being unpatentable over Maekawa (US PAT. 5,838,250) in view of Conoval (US PAT. 6,400,903).

Regarding claim 1, Maekawa discloses a remote monitoring apparatus comprising a control monitoring unit (32, figure 1) for remote monitoring, a mobile communication terminal (10, figure 1) including a camera unit (12, figure 1) for photographing a subject, for performing a call service and an image processing transmission service including an operation of photographing a subject with the camera unit (col. 3 line 30 through col. 5 line 15), a dynamic support (60B, figure 2) located in a remote place to be monitored and having the mobile communication terminal mounted on the dynamic support. Maekawa differs from the claimed invention in not specifically teaching the dynamic support having the mobile communication terminal detachably mounted on the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture and position control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile communication terminal. However, Conoval teaches a universal adapter being used with various digital camera products and communication components to effectively function as a single remote imaging and communication unit to giving an ability to be operated remotely over a communication link as

Art Unit: 2643

seamlessly as a direct camera-to-host connection, thereby makes user friendly. The universal adapter (25, figure 3B) capable of detachably mounting with a camera for controlling a posture of the mounted camera and position movement of the universal adapter upon receiving a posture and position control command on the camera from a host unit via a wireless communication, i.e., wireless Internet (col. 9 line 31 through col. 10 line 28). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the dynamic support of Maekawa having the mobile communication terminal detachably mounted on the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture and position control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile communication terminal, as per teaching of Conoval, because it provides the ability to be operated remotely over a communication link as seamlessly as a direct camera-to-host connection, thereby makes user friendly.

Regarding claim 2, Conoval discloses a connector for performing communication between the mounted camera and the universal adapter (figure 3B and col. 9 lines 55-58).

Regarding claim 3, Maekawa discloses a remote monitoring apparatus comprising a control monitoring unit (32, figure 1) for remote monitoring, a mobile communication terminal (10, figure 1) including a camera unit (12, figure 1) for photographing a subject, for performing a call service and an image processing transmission service including an operation of photographing a subject with the camera unit (col. 3 line 30 through col. 5 line 15), a first dynamic support (60B, figure 2) located in a remote place to be monitored and having the mobile communication terminal mounted on the first dynamic support, and an independent electrical

Art Unit: 2643

apparatus, i.e., a camera, wherein the control monitoring unit is able to transmit a second command via a communication line and the mounted mobile communication terminal, and wirelessly transmitting the second command to the independent electrical apparatus (col. 6 line 36 through col. 7 line 26). Maekawa differs from the claimed invention in not specifically teaching the first dynamic support having the mobile communication terminal detachably mounted on the dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a first posture and position control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile communication terminal. However, Conoval teaches a universal adapter being used with various digital camera products and communication components to effectively function as a single remote imaging and communication unit to giving an ability to be operated remotely over a communication link as seamlessly as a direct camera-to-host connection, thereby makes user friendly. The universal adapter (25, figure 3B) capable of detachably mounting with a camera for controlling a posture of the mounted camera and position movement of the universal adapter upon receiving a posture and position control command on the camera from a host unit via a wireless communication, i.e., wireless Internet (col. 9 line 31 through col. 10 line 28). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the dynamic support of Maekawa having the mobile communication terminal detachably mounted on the first dynamic support for controlling a posture of the mounted mobile communication terminal and positional movement of the dynamic support upon receiving a posture and position control command on the mounted mobile communication terminal from the monitoring unit via a wireless Internet and the mounted mobile

Art Unit: 2643

communication terminal, as per teaching of Conoval, because it provides the ability to be operated remotely over a communication link as seamlessly as a direct camera-to-host connection, thereby makes user friendly.

Regarding claim 4, Maekawa discloses the independent electrical apparatus, i.e., a camera (col. 7 lines 15-19), for wirelessly receiving the second command from the mobile communication terminal (10, figure 1) mounted on the first dynamic support for performing remote controlling operation (col. 6 line 36 through col. 7 line 26). Note while Conoval teaches a universal adapter mounted with a camera unit for wirelessly receiving a control command for controlling a posture of the mounted camera and position movement of the universal adapter. Thus, the combination of Maekawa and Conoval is enough to reject the claimed limitations.

Regarding claim 5, Conoval discloses a connector for performing communication between the mounted camera and the universal adapter (figure 3B and col. 9 lines 55-58).

Response to Arguments

5. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2643

Kleinschmidt et al. (US PAT. 6,085,112) discloses a communication device having an radiotelephone integrated with an image display device and image recording device for providing visual communications (abstract).

Reele et al. (US PAT. 5,893,037) discloses a combined electronic image capture system with cellular transmission capability (abstract).

Schaeffer et al. (US 2002/0013161) discloses a mobile telephone system having a detachable camera (abstract).

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

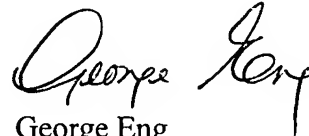
Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Art Unit: 2643

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in cursive script, appearing to read "George Eng".

George Eng
Primary Examiner
Art Unit 2643